

REMARKS

Claim Disposition

Claims 1-19 are pending in the application. Claims 1, 2, 8, 10 and 13-19 have been rejected. Claims 3-7, 9, 11 and 12 are objected to. Claims 1, 6, 7, 11, 12 and 17 have been amended.

Claim Rejections 35 U.S.C. §102(b).

Claims 1, 2, 8 and 13-19 stand rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Maeda U.S. Patent No. 5,802,841 hereinafter referred to as Maeda. Applicants have amended the claims and respectfully submit that Maeda does not disclose all of the elements of the claims. To anticipate a claim under 35 U.S.C. §102, a single source must contain all of the elements of the claim. *Lewmar Marine Inc. v. Barient, Inc.*, 827 F.2d 744, 747, 3 U.S.P.Q.2d 1766, 1768 (Fed. Cir. 1987), cert. denied, 484 U.S. 1007 (1988).

Independent Claims 1 and 17 (as well as dependent Claims 6, 7, 11 and 12) have been amended to include a limitation that the lateral space between angled strips is “flow” space. The lateral space between angled strips in Maeda, as correctly identified by the Examiner, is not a flow space but is, in fact, space filled with element 27a as shown in Figures 9 and 10. Maeda, therefore, does not teach, disclose or even suggest this limitation of the instant application and, as such, an anticipation rejection is improper and should be withdrawn.

Dependent Claims 2, 8, 13-16 and 18-19 are either directly or indirectly dependent upon the independent Claims 1 and 17 and are, therefore, also allowable for at least this reason.

Claim Rejections - 35 USC § 103(a)

Claim 10 stands rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Maeda.

Claim 10, being dependent upon Claim 1, includes the limitation of the lateral flow space between angled strips that is not disclosed in Maeda as described above. The

argument, therefore, which the Examiner puts forth in rejecting Claim 10, that “to the extent that the claimed invention produces the claimed desired results, the prior art structure being the same, does the same,” is not applicable since the prior art structure is not the same. As such, a rejection for obviousness is improper and should be withdrawn.

Allowable Subject Matter

Applicants appreciate the Examiner’s identification of allowable subject matter in Claims 3-7, 9, 11 and 12. Applicants wish to defer the acceptance of such allowable subject matter to a later time.

Summary of Interview with the Examiner

A conference call was held between the undersigned Patent Agent, Daniel A. Gilmour, representing the applicants and the Examiner, William Rodriguez, on May 10, 2007. Applicants proposed amending the claims to include a further limitation that the lateral space is a flow space. Applicants argued that since the U.S. Patent 5,802,841 to Maeda, hereinafter Maeda, cited in the rejection includes element 27a in the lateral space, Maeda does not disclose this limitation. Examiner Rodriguez stated that with this amendment the claims would be novel over the art already cited. Examiner Rodriguez, however, also stated that an additional search would be required in light of the proposed amendments.


Conclusion

It is believed that the foregoing amendments and remarks are fully responsive to the Office Action and that the claims herein should be allowable to the Applicants. In the event the Examiner has any queries regarding the instantly submitted response, the undersigned respectfully request the courtesy of a telephone conference to discuss any matters in need of attention.

If there are any additional charges with respect to this Response or otherwise, please charge them to Deposit Account No. 06-1130.

Respectfully Submitted,

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